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8-4-98



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re: James B. Williams, Jr. et al.

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GROUP 180

Application No.: 07/715,258

Filed: 6/14/91

Title: ICON FOR COMPUTER DISPLAY

Examiner: M. Tung

Group Art Unit: 2911

APPELLANT'S BRIEF ON APPEAL

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1. REAL PARTY OF INTEREST:

The real party of interest is Xerox Corporation.

2. RELATED APPEALS AND INTERFERENCES:

The related Appeals or Interferences are as follows:

Patent Application Serial No. 07/342,516

Patent Application Serial No. 07/342,517

Patent Application Serial No. 07/343,181

Patent Application Serial No. 07/343,182

Patent Application Serial No. 07/715,144

Patent Application Serial No. 07/715,145

Patent Application Serial No. 07/715,257

Patent Application Serial No. 07/715,259

Patent Application Serial No. 07/715,260

Patent Application Serial No. 07/715,261

Patent Application Serial No. 07/715,262

Patent Application Serial No. 07/715,263

Patent Application Serial No. 07/715,840

3. STATUS OF CLAIM:

The Claim is rejected.

4. STATUS OF AMENDMENTS:

An Office Action of February 25, 1993 rejected the claim as non-statutory subject matter under 35 U.S.C § 171. Appellants' Amendment of May 21, 1993, based on support in the application as a whole, added a representative "computer display" to the drawing. This addition was, by way of a final Office Action of June 4, 1993, deemed as introducing new matter under 35 U.S.C. § 132, 37 CFR § 1.118 and as failing to comply with the

description requirement of 35 U.S.C. § 112 - the rejection based on 35 U.S.C § 171 was repeated and made final.

Prosecution of the present Application was suspended pending the outcome of an appeal of a similar design application, U.S. Serial No. 07/715,145. Following a two plus year delay, the Examiner withdrew the Final Office Action in the present and suspended case following the release of published guidelines on icon design patent applications (see 1185 OG 60.)

In an Office Action of September 16, 1996, Appellants were required to elect from one of three groups of inventions under 35 U.S.C. § 121. In response to such restriction, Appellants, by way of an Amendment of October 15, 1996, elected to continue prosecution of the first inventive group.

In an Office Action of February 4, 1997, the Title of the Invention was objected to under the second paragraph of 35 U.S.C. § 112 as being indefinite for use of the term "OR THE LIKE". Additionally, the assertion regarding addition of new matter was repeated and the claim was rejected under 35 U.S.C § 171 as failing to show a computer-generated icon embodied in an article of manufacture. In an Amendment of May 5, 1997, Appellants sought to amend the claim of the Invention to further clarify the relationship of the computer-generated icon to the computer display.

An Office Action of August 5, 1997, objected to the Title of the Invention and further required cancellation of the Figures of Groups II and III from the Drawing. Moreover, the rejection regarding new matter was reasserted along with the rejection under 35 U.S.C. § 171. In an Amendment of November 4, 1997, Appellants amended the specification to overcome any pending objections and provided remarks indicating a manner in which addition of a computer display to the drawing is supported by the application as a whole. Additionally, evidence was provided to substantiate that it was known, at the time of filing of the present application, to use icons in conjunction with computer displays.

An Office Action of February 18, 1998 finally rejected the claim while providing detailed remarks directed toward the issue of "whether or not there is support in the original title, specification, and drawing to support the specific configuration of the broken line disclosure in the amendment submitted 4/24/93."

5. SUMMARY OF INVENTION:

Appellants' invention is directed to an "ICON FOR COMPUTER DISPLAY". Figs. 1-3 show a detailed view of the Icon; the broken lines showing the representative computer display are for illustrative purposes only and form no part of the claimed design. The present invention is used to implement computer functions by selecting the Icon shown on the computer display.

6. ISSUES:

a. Whether Appellants' Amendment of May 21, 1993 introduces new matter under 35 U.S.C. § 132 and 37 C.F.R. § 1.118, while failing to comply with the description requirement of the first paragraph of 35 U.S.C. § 112.

b. Whether the claim is directed to non-statutory matter under 35 U.S.C. § 171.

7. GROUPING OF THE CLAIMS:

The single claim of the present Application is to be considered on appeal.

8. ARGUMENT:

a. Appellants' addition of the originally disclosed computer display to the drawing does not constitute new matter and the application does not fail to comply with the description requirement of the first paragraph of 35 U.S.C. § 112.

Appellants filed the present design patent application on June 14, 1991. In the first Office Action, dated February 25, 1993, it was stated that "[t]he claim is rejected as non-statutory subject matter under 35 U.S.C. 171 as it is not directed to an article of manufacture." The Office Action concluded that "[t]he design as claimed and shown in the drawing disclosure is merely a

picture or surface ornamentation rather than a design applied to an article." Additionally, the Office Action concluded "any supplemental disclosure of an article to which the design might be applied would be new matter under 35 U.S.C. 132 and 37 C.F.R. 1.118."

Appellants' originally filed application designates in the title that they had "invented a new, original, and ornamental design for a PAPER TRAY ICON FOR A COMPUTER DISPLAY OR THE LIKE". Appellants' originally filed application also specifies in the claim that the Paper Tray Icon is "for a computer display" (i.e. the article of manufacture in which the Paper Tray Icon is embodied). The Application further states that the drawing forms a part of the specification, and sets forth that each Figure is a "front view" of Appellants' "new design for a PAPER TRAY ICON FOR A COMPUTER DISPLAY OR THE LIKE." As such, Appellants clearly disclosed the article in the original disclosure so as to permit one of ordinary skill in the pertinent area of design to identify it as a "computer display."

In accordance with the holding *Ex Parte Strijland*, 26 USPQ 2d 1259 (BOPA. 1992) (indicating that a claim to a computer-generated icons would be patentable provided the corresponding application and drawing indicated that the icon is embodied in the computer article and the computer article was shown in broken line drawing), Appellants submitted drawing amendments showing the computer display in phantom or "broken" lines. Essentially, Appellants' amendment sought simply to clarify the invention and insure uniformity between the specification and drawing. The added broken lines of the "computer display" in the drawing are clearly and firmly based on Appellants' multiple originally filed references to the "computer display" as the relevant article, as detailed above. Additionally, Appellants' Amendment of May 5, 1997 emphasizes that the broken lines shown in Figures 1-3 are for illustrative purposes only and form no part of the claimed design.

Despite the original disclosure of the "computer display" as the relevant article of manufacture, the amended drawing provided in Appellants' amendment has been deemed to introduce new matter, and the claim has been rejected for failing to comply with the description requirement of the first paragraph of 35 U.S.C. § 112. Declaring the "rectangular display screen in broken lines" to be new matter in paragraph 2 of the final Office Action of June 4, 1993, the Examiner stated: "It is noted that the words 'computer

display' appear in the title[; h]owever, these words, which are relatively vague as no actual structures, such as [a] screen or panel, are identified, are not held to be sufficient support for the addition of a computer display screen, whether claimed or not, to the actual drawing disclosure." The Examiner cites 37 C.F.R. § 1.118 and 35 U.S.C. § 132 as a basis for determining that the representative computer display now shown in the drawing is new matter, and 35 U.S.C. § 112, first paragraph, in asserting that the disclosure requirement has not been met.

Appellants submit that there is little confusion regarding the meaning of the term "computer display" since such term is well understood by both those skilled in the art of computer-generated icon design as well as laypersons. Referring to Appendix I, the respective dictionary definitions of "computer" and "display" are consistent with the view that a computer display is an article for displaying information, such as computer generated icons.

Additionally, in view of the patent literature available at the time of the filing of the present application, one of skill in the art of computer generated icon design would understand readily the manner in which the present Icon is embodied in the article. In performing an on-line database search for the present application, several references relating to the use of graphic icons on video screens (each having a date predating the filing date of the present application) were found.

Finally, it is submitted that the U.S. Patent and Trademark Office understood that icons are embodied in computer displays since the present application was classified in a design area (D18) relating to "office machinery" and "printing devices". By its own actions, relative to the prosecution of the present application, the USPTO has demonstrated a tacit understanding that the Icon of the present application is embodied in the screen of a computer.

The Office Actions received thus far virtually ignore references in the present application to the "computer display" article and thus view amendment of the drawing to be impermissible. This is in contradiction to the rules governing such matters. 37 C.F.R. § 1.118(a) specifies in pertinent part that "[a]ll amendments to the specification, including the claims, and the drawings filed after the filing date of the application must conform to at least one of them as it was at the time of the filing of the application." Appellants' amended drawing, in now conforming to the title, description *and* claim, clearly

meets this requirement, which applies to design applications according to 37 C.F.R. § 1.151. Only “[m]atter *not found in either*, involving a *departure from* or an *addition to* the original disclosure, cannot be added to the application” 37 C.F.R. § 1.118(a) (emphasis added). No showing has been made or grounds established to support a determination that the representative computer screen now in the drawing in any way “departs from” or “adds to” the disclosure of that article in the original title, specification and claim of the application. As such, the drawing amendment in the present application is properly distinguished from an application having a symbol, feature or element in (or added to) an original drawing that is not disclosed in the original application.

Appellants’ amended drawing adds no new matter and is proper according to other pertinent rules governing design patent applications, namely 37 C. F. R. § 1.117. Section 117 sets forth that,

[t]he specification, claims and drawings must be amended and revised when required, to correct inaccuracies of description and definition or unnecessary prolixity, and to secure correspondence between the claims, the specification and the drawing.

The present application discloses the article in the title, specification and claims; as such, the plain meaning of 37 C. F. R. § 1.117 also permits the drawings to be amended in the conforming manner presented by Appellants.

In view of the above discussion, it is clear that both the meaning of the term “computer display” is well known and that computer-generated icons are employed with computer displays. Nonetheless, the Office Action of February 18, 1998 asserts that mere “understanding [of] the meaning of a word does not necessarily describe its visual characteristics” and a “computer display is not a ‘conventional feature,’ . . . in the design sense.” As will appear, this view of amending a drawing in a design patent application having a claim directed toward a computer-generated icon is, in at least two respects, inconsistent with the prevailing standards of the U.S. Patent and Trademark Office (USPTO).

First, both Section 2 of the USPTO Guidelines at 1185 OG 60 and *Ex Parte Strijland* (at 1263) dictate that the article of manufacture, in a drawing

for a computer-generated icon is to be shown in terms of broken lines. Moreover, the MPEP § 1503.02 provides:

A broken line showing is for illustrative purposes only and forms no part of the claimed invention. . . . The use of broken lines indicates that the environmental structure or the portion of the article depicted in broken lines forms no part of the design, and is not to indicate the relative importance of parts of the design.

Hence, USPTO standards contemplate that, in a drawing for a computer-generated icon, the computer display is to serve as a conventional feature which is merely representative an exemplary computer display article. That is, the computer display article is intended to clarify the environment in which the novel icon design resides and is not intended to be limited to a screen of any particular shape or size. The icon could be large relative to the screen or small relative to the screen without altering the applied design of the icon. The Paper Tray Icon design is the invention of the present application, not any particular shape or structure of a known computer display with which the icon is displayed.

The Examiner details an argument in support of the final rejection suggesting that that addition of a computer display in broken line drawing would require support in the form of a size description for the computer display in the original application. (See Analogy, at Section 5. of the final Office Action of February 18, 1998 to the sizes of a car that might be an article of manufacture in another situation). Appellants are unaware of any such requirement to define the size of an article in broken line drawing, and submit that they are not required to limit the scope of their claim to an icon on a particular size of screen, or to an icon of a particular size on that screen.

To give weight to the broken lines in the manner suggested by the Office Action of February 18, 1998 would raise broken lines to a level of significance that is not supported by the controlling law, *In re Zahn*, 204 USPQ 988, 994-996 (CCPA 1980). More particularly, as taught by *Zahn*, the broken lines are only intended to indicate the existence of the article, but not *how* the subject design is embodied in the article:

No sound authority has been cited for any limitation on *how* a design is to be embodied in an article of manufacture. Here the design is embodied in the shank portion of a drill and a drill is unquestionably an article of manufacture. It is thus applied design as distinguished from abstract design. . . . We note also that § 171 refers, not to the design *of* an article, but to a design *for* an article, and is inclusive of ornamental designs of *all* kinds including surface ornamentation as well as configuration of goods.

Zahn at 995 (emphasis in original) (*citing, In re Hruby*, 153 USPQ 61 (1967)).

It follows from *Zahn* that, in the case of an applied design, the exact dimensions or characteristic features of an article of manufacture shown in broken line drawing are irrelevant. That is, the broken line drawing of the article is intended to convey nothing more than the mere presence of the article. There can be little doubt, in view of the opinions of *Zahn* and *Hruby*, that an article, when provided in broken line drawing, is to be treated as environment or background. Accordingly, the design in *Zahn* is for a drill bit shank, and *not* any particular drill (i.e. article). If the case were otherwise, an applicant would be forced to disclose an unlimited number of design/article configurations in order to obtain comprehensive coverage for an applied design, e.g. a separate design application would be required for a range of shank/drill or icon/screen configurations.

Second, in view of the circumstances surrounding the present application, the above-mentioned Guidelines at 1185 OG 60 mandate that the Examiner permit amendment of the drawing as proposed by the Appellants. In particular, while the Office Action of February 18, 1998 indicates that the computer display referred to in the specification as filed is neither adequately described nor conventional, it implicitly admits that the application is at least directed toward an icon embodied on a computer display. (See Section 6 of the Office Action) Indeed it would difficult to dispute that the disclosure as a whole does not at least “*suggest* the claimed subject matter as a computer-generated icon embodied in a computer screen, monitor, [or] other display panel.” (See USPTO Guidelines at Section 2(b) Additionally, it should be noted that the

Guidelines only require that a relationship between the computer article be suggested and that the computer article can assume one of several forms (namely a computer screen, monitor or other display panel). It is submitted that unless the Examiner can show a failure on Appellants' part to suggest a relationship between an icon and a computer display, she is obligated under the Guidelines, at Section 2(b), to "[s]uggest amendments which would bring the claim into compliance with section 171."

b. The claim is directed to statutory matter under 35 U.S.C. 171, as the icon for the computer display as described and claimed is shown and used on a computer display.

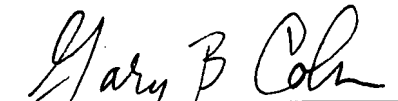
The claim of the present application has been rejected under 35 U.S.C. § 171 as not being directed toward statutory subject matter. The USPTO Guidelines at 1185 OG 60 provide that a design for computer-generated icon is patentable provided:

- 1) the computer screen, monitor, other display panel, or portion thereof is shown in broken or solid lines with the icon displayed on it, and
- 2) the claim is directed to the subject matter as embodied in an article of manufacture.

On the basis of support in the original title, specification and claim, the drawing has been amended to show the "Paper Tray Icon" surrounded by a broken line representative of a computer display or screen. Moreover, on the basis the original title, specification and claim, it should now be clear that the Icon is embodied in the computer display, i.e. the Icon is used to provide

ornamentation for the computer display. Hence the Icon of the subject application constitutes patentable subject matter in accordance with the requirements of both 35 U.S.C. § 171 and the pertinent USPTO Guidelines.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gary B. Cohen", is written over a horizontal line.

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GBC/ez
July 20, 1998

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9. **APPENDIX A:**

CLAIM APPEALED:

The following is the appealed claim:

The ornamental design for an Icon for a Computer Display as shown and described.

10. **APPENDIX B:**

**EXHIBIT SUBMITTED DURING PROSECUTION OF THE
PRESENT APPLICATION, ATTACHED AS FOLLOWS:**

(l) *Webster's Ninth New Collegiate Dictionary*, Merriam-Webster, Inc. 1990, at 271 and 365

Appendix I

oste. fr. L. *composita*, fem. of *com-*
it cooked in syrup 2: a bowl of
base and stem from which *com-*

1: vb [ME *compounen*, fr. MF
to put — more at *com-*]
as to form a whole: *com-*
combining parts (~ a medicine)
ment (~ a debt) 4 a: to pay
and the principal b: to add to
policy—Robert Lekachman
1 oscute (an offense) (~ a felony)
pound 2: to come to terms of
adj — *com-pound-er* n
1: adj [ME *compouned*, pp. of
resulting from union of separate
nt (a ~ plant ovary) b: having
forming two or more leaflets on
g or used in a combination 3:
b of a sentence: having two or

1 a: a word consisting of *com-*
igh school, devil-may-care) b:
binations of words, combining
loylety, builder) 2: something
rs; specif: a distinct substance
more ingredients in definite pro-

etymology fr. Malay *kampung*
fenced or walled-in area contain-
ences
(1923): having two or more main
lauses
in insect) made up of many seg-

acture produced in such a way a
bone fragments usu. protrude
omputed on the sum of an orig-

microscope consisting of an ob-
rawtube
(as 2 ft. 5 in.) involving differ-

pradore \ˈdɒr.əˈdɒr/ n
Chinese agent engaged by a for-
charge of its Chinese employees
as affairs 2: INTERMEDIARY
comprehend, fr. L. *compreh-*
— more at *PREHENSILE* (14c) 1
meaning of 2: to include as
he truth of everything which
to include by construction
EUNDERSTAND, INCLUDE — *com-*

(1598): capable of being com-
hen-si-bil-i-ty \ˈhɛn(ə)ˈsɪ-bɪ-
(t)-sɪ-bəl-nəs/ n — *com-pre-*

n [MF & L; MF, fr. L. *compe-*
rus, pp. of *comprehendere* to
act or action of grasping with
ledge gained by comprehending
ly 2 a: the act or process
ility of including: *com-pre-*

4) 1: covering completely
(~ insurance) 2: having or
nowledge) — *com-pre-hen-si-*

sen. fr. LL *compressare* to press
to compress, fr. *com-* + *pre-*
tc) 1: to press or squeeze
ne as if by squeezing ~ w: 2

1: fr. *compresser* to compress
cloth or pad applied so as to
for compressing
adj (14c) 1: pressed together
essure) 2: flattened as though
tened laterally (petioles ~)
a dorsoventral direction — *com-*
adv
pressure greater than that of

(1691): capable of being com-
-bil-it-ty n
1 a: the act, process, or result
compressed 2: the process of
inder of an internal-combustion
much compressed fossil plant
-ly

itudinal wave (as a sound wave
n of the medium — called also

1: of or relating to compress-
pres-si-ve-ly adv
that compresses: as a ~
line that compresses gases
com-pressing [ME *compre-*
L. *comprehendere*] (15c) 1: to
~ (civilization as Lenin used
prised the changes that are

associated in our minds with “developed” rather than “developing”
states — *Times Lit. Supp.* 2: to be made up of (a committee compris-
ing three faculty members and three public members) 3: COMPOSE.
CONSTITUTE (a misconception as to what ~s a literary generation —
William Styron) (about 8 percent of our military forces are comprised
of women — Jimmy Carter)

usage Although it has been in use since the late 18th century, sense 3
is still attacked as wrong. Why it has been singled out is not clear, but
until comparatively recent times it was found chiefly in scientific or
technical writing rather than belles lettres. Our current evidence
shows a slight shift in usage: sense 3 is somewhat more frequent in
recent literary use than the earlier senses. You should be aware, how-
ever, that if you use sense 3 you may be subject to criticism for doing
so, and you may want to choose a safer synonym such as *compose* or
make up.

com-pro-mise \ˈkɑm-prə-mīz/ n [ME. mutual promise to abide by an
arbitrator's decision, fr. MF *compromis*, fr. L. *compromissum*, fr. neut.
of *compromittere*, pp. of *compromittere* to promise mutually, fr. *com-* +
promittere to promise — more at *PROMISE*] (15c) 1 a: settlement of
differences by arbitration or by consent reached by mutual concessions
b: something blending qualities of two different things 2: a concession
to something derogatory or prejudicial (a ~ of principles)
com-pro-mise-ment \ˈkɑm-prə-mīz-mənt/ n (1598) 1 a: to bind by mutual
agreement 2: to adjust or settle by mutual concessions 3: to ex-
pose to discredit or mischief ~ w: 1: to come to agreement by mutual
concession 2: to make a shameful or disreputable concession — *com-*
pro-mis-er n

compt \ˈkɑnt, ˈkɑm(p)t/ archaic var of COUNT
com-rol-ler \kɑn-ˈrɒ-lər, ˈkɑm(p)-/ n [ME. alter. of *con-*
roller controller] (15c) 1: a royal-household official who examines
and supervises expenditures 2: a public official who audits govern-
ment accounts and sometimes certifies expenditures 3: CONTROLLER
lc — *com-rol-ler-ship* n

com-pul-sion \kɑm-ˈpʊl-shən/ n [ME. fr. MF or LL; MF, fr. LL *compul-*
sion, compulsion, fr. L. *compulsus*, pp. of *compellere* to compel] (15c) 1
a: an act of compelling: the state of being compelled b: a force that
compels 2: an irresistible impulse to perform an irrational act
com-pul-sive \ˈpʊl-sɪv/ adj (1588) 1: having power to compel 2: of,
relating to, caused by, or suggestive of psychological compulsion or
obsession (~ actions) — *com-pul-sive-ly* adv — *com-pul-sive-ness* n —
com-pul-siv-ity \kɑm-ˈpʊl-sɪv-ə-ti, ˈkɑm-/ n

com-pul-sory \kɑm-ˈpʊl-s(ə)r-ē/ adj (1581) 1: MANDATORY, ENFORCED
2: COERCIVE, COMPELLING — *com-pul-sor-ily* \-s(ə)r-ē-ly/ adv

com-pun-ition \kɑm-ˈpʊn(ə)-shən/ n [ME. *compunctio*, fr. MF *com-*
punction, fr. LL *compunctio*, *compunctio*, fr. L. *compunctus*, pp. of
compungere to prick hard, sting, fr. *com-* + *pungere* to prick — more at
PUNCT] (14c) 1 a: anxiety arising from awareness of guilt (~s of
conscience) b: distress of mind over an anticipated action or result
(He showed no ~ in planning devilish engines of... destruction —
Havelock Ellis) 2: a twinging of misgiving; SCRUPLE (cheated without
~) *syn* see *REPENTANCE*, *QUALM* — *com-pun-itive* \-shən/ adj

com-pur-ga-tion \kɑm-ˈpʊr-gā-shən/ n [LL *compurgatio*, *compur-*
gatio, fr. L. *compurgare*, pp. of *compurgare* to clear completely, fr. *com-* +
purpare to purge] (1638) the clearing of an accused person by
oaths of persons who swear to his veracity or innocence

com-pur-ga-tor \ˈkɑm-ˈpʊr-gā-tər/ n (1533) one that under oath
vouches for the character or conduct of an accused person
com-put-able \kɑm-ˈpyʊt-ə-bəl/ adj (1646) capable of being computed
— *com-put-abil-ity* \ˈpyʊt-ə-bil-ə-ti/ n

com-put-a-tion \kɑm-ˈpyʊt-ā-shən/ n (15c) 1 a: the act or action of
computing; CALCULATION b: the use or operation of a computer 2:
a system of reckoning 3: an amount computed — *com-put-a-tion-al*
\-shən-əl/ adj

com-pute \kɑm-ˈpyʊt/ n (1588) COMPUTATION
compute vb *com-put-ed*; *com-put-ing* [L. *computare* — more at *COUNT*] w
(1616) to determine esp. by mathematical means (~ your income
tax); also: to determine or calculate by means of a computer ~ w: 1
to make calculation; RECKON 2: to use a computer
computed tomography n (ca. 1977) radiography in which a three-
dimensional image of a body structure is constructed by computer
from a series of plane cross-sectional images made along an axis —
called also *computed axial tomography*, *computerized axial tomography*,
computerized tomography

com-puter \kɑm-ˈpyʊt-ər/ n, often attrib (1646) one that computes;
specif: a programmable electronic device that can store, retrieve, and
process data — *com-puter-like* \-lɪk/ adj
com-puter-ize \ˈpyʊt-ə-rīz, -rīz/ n (ca. 1960) jargon used by com-
puter technologists

com-puter-ize chiefly Brit var of COMPUTERIZE
com-puter-ist \kɑm-ˈpyʊt-ə-rɪst/ n (1973) a person who uses or oper-
ates a computer

com-puter-ize \kɑm-ˈpyʊt-ə-rīz/ v -līz-əd; -līz-ɪŋ (1957) 1: to carry
out, control, or produce by means of a computer 2: to equip with
computers 3 a: to store in a computer b: to put in a form that a
computer can use — *com-puter-iz-able* \-rī-z-ə-bəl/ adj — *com-puter-*
iz-a-tion \ˈpyʊt-ə-rīz-ā-shən/ n

com-puter-nik \kɑm-ˈpyʊt-ər-nɪk/ n [computer + -nik] (1968) COM-
PUTERIST

com-rade \ˈkɑm-rād, -rəd, esp Brit -rād/ n [MF *camarade* group sleep-
ing in one room, roommate, companion, fr. OSP *camarada*, fr. *camara*
room, fr. LL *camara*, *camara* — more at *CHAMBER*] (1544) 1 a: an
intimate friend or associate; COMPANION b: a fellow soldier 2 (fr. its
use as a form of address by communists): COMMUNIST — *com-rade-ly*
\-lɪ-nəs/ n — *com-rade-ly* adj — *com-rade-ship* \-shɪp/ n

com-rad-ery \ˈkɑm-rād-ə-rē, -rəd-rē, -rād-ə-rē/ n (1879) CAMARA-
DERIE

Comsat \ˈkɑm-sæt/ service mark — used for communications services
involving an artificial satellite

Com-stock-ery \ˈkɑm-stək-ə-rē also ˈkɑm-/ n [Anthony Comstock + E
-ry] (1905) 1: strict censorship of materials considered obscene 2:
censorious opposition to alleged immorality (as in literature)
Com-stock-ian \ˈkɑm-stək-ē-ən also ˈkɑm-/ adj (1921) of or relating to
Comstockery

com-symp \ˈkɑm-sɪmp/ n [communist + sympathizer] (ca. 1961): a
person sympathetic to communist causes — usu. used disparagingly
Com-tan or Com-ean \ˈkɑm(p)-tən, ˈkɑ(n)-tən/ adj (1846) of or
relating to Auguste Comte or his doctrines — *Com-tism* \ˈkɑm(p)-tɪz-
əm, ˈkɑ(n)-tɪz-/ n — *Com-tist* \ˈkɑm(p)-tɪst, ˈkɑ(n)-tɪst/ adj or n
com \ˈkɑn/ v [commed; com-ing] (ME *commen* to know, learn, study, alter,
of *cumen* to know, infin. of *can* — more at *CAN*] (13c) 1: to commit
to memory 2: to study or examine closely: PERUSE

com var of CONN

com adv [ME. short for *contra*] (15c) on the negative side: in opposi-
tion (so much has been written pro and ~)

com n (1589) 1: an argument or evidence in opposition 2: the nega-
tive position or one holding it (an appraisal of the pros and ~s)

com adj [by shortening] (1899): CONFIDENCE
com v [commed; com-ing] (1896) 1: SWINDLE 2: PERSUADE, CAJOLE

com n [by shortening] (1893): CONVICT

com n [short for *consumption*] slang (1915) a destructive disease of the
lungs; esp: TUBERCULOSIS

com — see COM

com am-ore \ˈkɑn-ə-môr-ə, ˈkɑ-nə-môr-/ adv [It.] (1739) 1:
with love, devotion, or zest 2: in a tender manner — used as a
direction in music

com an-tes \ˈkɑ-nən-ə-mə, ˈkɑ-nən-/ adv [It. lit., with spirit] (1906)
in a spirited manner — used as a direction in music

com-a-tion \ˈkɑ-nā-shən/ n [L. *conatio*, *conatio* act of attempting, fr.
conatus, pp. of *conari* to attempt — more at *DEACON*] (1836) an incli-
nation (as an instinct, a drive, a wish, or a craving) to act purposefully:
IMPULSE 3 — *com-a-tive* \ˈkɑ-nə-tɪv, -nāt-/ adj

com bri-o \ˈkɑn-brē-/ adv [It. lit., with vigor] (ca. 1891) in a
vigorous or brisk manner — used as a direction in music

com-ca-nave-lla \ˈkɑn-kə-nə-və-lə/ n (com- + *canavalia* (a noncrystal-
line globulin found in the jack bean), fr. NL *Canavalia*, genus name of
the jack bean) (1919) either of two crystalline globulins occurring in
the jack bean; esp: one that is a potent hemagglutinin

com-cat-e-nate \ˈkɑn-kat-ə-nət, ˈkɑ-/ adj [ME, fr. LL *concatenatus*, pp.
of *concatenare* to link together, fr. L. *com-* + *catena* chain — more at
CHAIN] (15c) linked together

concatenate \ˈnæt/ v -næt-əd; -næt-ɪŋ (1598) to link together in a
series or chain — *com-cat-e-nat-ion* \ˈkɑn-kat-ə-nā-shən, ˈkɑ-/ n

com-cave \ˈkɑn-kāv, ˈkɑ-/ adj [MF, fr. L. *concavus*, fr. *com-* + *cavus*
hollow — more at *CAVE*] (15c) 1: hollowed or rounded inward like
the inside of a bowl 2: arched in: curving in — used of the side of a
curve or surface on which neighboring normals to the curve or surface
converge and on which lies the chord joining two neighboring points of
the curve or surface

com-cave \ˈkɑn-kāv/ n (1552) a concave line or surface

com-cav-ity \ˈkɑn-kav-ə-ti, n pl -ties (15c) 1: a concave line, surface,
or space: HOLLOW 2: the quality or state of being concave

com-ca-vo-con-convex \ˈkɑn-kə-və-/ adj (1676) 1: concave on one side and
convex on the other 2: having the concave side curved more than the
convex

com-ceal \ˈkɑn-sē-/ v [ME *concelere*, fr. MF *concelere*, fr. L. *concelere*,
fr. *com-* + *celare* to hide — more at *HELL*] (14c) 1: to prevent disclo-
sure or recognition of 2: to place out of sight *syn* see *HIDE* — *com-*
ceal-able \ˈsē-lə-bəl/ adj — *com-ceal-er* \ˈsē-lər/ n — *com-ceal-ingly*
\ˈsē-lɪŋ-ly/ adv — *com-ceal-ment* \ˈsē-l-mənt/ n

com-cede \ˈkɑn-sēd/ v *com-ced-ed*; *com-ced-ing* [F or L; F *concedere*, fr. L
concedere, fr. *com-* + *cedere* to yield — more at *TRUE*] w: (1632) 1: to
grant as a right or privilege 2 a: to accept as true, valid, or accurate
(the right of the state to tax is generally ~ed) b: to acknowledge
grudgingly or hesitantly ~ w: 1: to make concession; YIELD *syn* see
GRANT — *com-ced-ed-ly* \ˈsēd-əd-ly/ adv — *com-ced-er* n

com-cent \ˈkɑn-sɛt/ n [ME, fr. *concent*] (14c) 1 a (1): a result of
mental activity: THOUGHT (2): individual opinion b: favorable
opinion; esp: excessive appreciation of one's own worth or virtue 2:
a fancy article 3 a: a fanciful idea b: an elaborate or strained
metaphor c: use or presence of such conceits in poetry

com-cent v (1557) 1 obs: CONCEIVE, UNDERSTAND 2 dial: IMAGINE 3
dial Brit: to take a fancy to

com-cent-ed \ˈsēd-əd/ adj [concent] (1593) 1: ingeniously contrived
FANCIFUL 2: having an excessively high opinion of oneself — *com-*
cent-ed-ly adv — *com-cent-ed-ness* n

com-ceive-able \ˈkɑn-sē-və-bəl/ adj (15c) capable of being conceived:
IMAGINABLE — *com-ceive-abil-ity* \ˈkɑn-sē-və-bil-ə-ti/ n — *com-ceive-*
able-ness \ˈsē-və-bəl-nəs/ n — *com-ceive-ably* \-bəl-ly/ adv

com-ceive \ˈkɑn-sēv/ v *com-ceived*; *com-ceiving* [ME *conceivere*, fr. MF
conceivere, fr. L. *conceipere* to take in, conceive, fr. *com-* + *capere* to take
— more at *HEAVE*] w: (14c) 1 a: to become pregnant with (young)
b: to cause to begin; ORIGINATE 2 a: to take into one's mind (~ a
prejudice) b: to form a conception of; IMAGINE, IMAGE 3: to appre-
hend by reason or imagination; UNDERSTAND 4: to be of the opinion
with of (~s of death as emptiness) *syn* see *THINK* — *com-ceive-r* n

com-cele-brant \ˈkɑn-sēl-ə-brənt, ˈkɑn-/ n (ca. 1931) one that concele-
brates a Eucharist or Mass

com-cele-brate \ˈkɑn-sēl-ə-brāt, ˈkɑn-/ v [L. *concelebratus*, pp. of *con-*
celebrare to celebrate in great numbers, fr. *com-* + *celebrare* to cele-
brate] w: (1879) to participate in (a Eucharist) as a joint celebrant
who recites the canon in unison with other celebrants ~ w: to partici-
pate as a celebrant in a concelebrated Eucharist — *com-cele-brat-ion*
\ˈkɑn-sēl-ə-brā-shən, ˈkɑn-/ n

com-cent \ˈkɑn-sent/ n [L. *concentus*, fr. *concentus*, pp. of *concinere* to
sing together, fr. *com-* + *canere* to sing — more at *CHANT*] archaic
(1585) HARMONY

con-center \ˈkɑn-sent-ər, ˈkɑn-/ v [F *concentrer*, fr. *com-* + *centre* *center*]
ter] w: (1630) to draw or direct to a common center: CONCENTRATE
~ w: to come to a common center

com-cent-er \ˈkɑn-sent-ər, ˈkɑn-/ v [F *concentrer*, fr. *com-* + *centre* *center*]
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ter] w: (1630) to draw or direct to a common center: CONCENTRATE
~ w: to come to a common center

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dis- (2) : quick riddance *d* : a sending *dis-* : SHIPMENT *dis-* : a message sent with speed; *esp* : an important official message sent by a diplomatic, military, or naval officer (sent *a* ~ to the war department) *b* : a news item filed by a correspondent *3* : promptness and efficiency in performance or transmission *syn* see **HASTE**

dispatch case *n* (ca. 1918) : a case for carrying papers

dispel (dis-'pel) *vi* *dis-pel*; *dis-pel* [L. *dispellere*, fr. *dis-* + *pellere* to drive, beat — more at **FELT**] (15c) : to drive away by or as if by scattering : **DISPATE** (~ a misconception) *syn* see **SCATTER**

dispensable (dis-'pen(t)-sə-'bal) *adj* (1649) : capable of being dispensed with : **UNESSENTIAL** — **dispensability** \-'pen(t)-sə-'bil-ə-ti-*n* *n*

dispensary (dis-'pen(t)-sə-'rē) *n*, *pl* -ries (1699) : a place where medicinal or dental aid is dispensed

dispensation (dis-'pen-sā-'shən, -'pen-*n*) (14c) *1 a* : a general state or ordering of things; *specif* : a system of revealed commands and promises regulating human affairs *b* : a particular arrangement or provision *esp*. of providence or nature *2 a* : an exemption from a law or from an impediment, vow, or oath *b* : a formal authorization *3 a* : the act of dispensing *b* : something dispensed or distributed — **dispensationally** \-'shən-'shən-'l-*l* *adv*

dispensatory (dis-'pen(t)-sə-'tōr-ē, -'tōr-*n*, *pl* -ries (1566) : a medicinal formula

disperse (dis-'pen(t)-sə-'*v*) *vb* *dis-pens*; *dis-pens* [ME *dispensen*, fr. ML & L. *dispensare* to grant dispensation, fr. L. to distribute, fr. *dispens*, pp. of *dispendere* to weigh out, fr. *dis-* + *pendere* to weigh more at **SPIN**] *vt* (14c) *1 a* : to deal out in portions *b* : **ADMINISTER** (~ justice) *2* : to give dispensation to : **EXEMPT** *3* : to prepare and distribute (medication) ~ *vi* *archaic* : to grant dispensation *syn* see **DISTRIBUTE** — **disperse with** *1* : to suspend the operation of (a people that has dispensed with its monarchy) *2* : to do without (could dispense with his assistants)

dispenser \-'pen(t)-sə-'*n* (14c) : one that dispenses : *a* : a container that extrudes, sprays, or feeds out in convenient units *b* : a usual mechanical device for vending merchandise

dispeople (dis-'pō-'pəl) *vi* (15c) : **DEPOPULATE**

disperse (dis-'pōr-səl) *n* (1821) : the act or result of dispersing; *esp* : the process or result of the spreading of organisms from one place to another

dispersant (dis-'pōr-sənt) *n* (1941) : a dispersing agent; *esp* : a substance for promoting the formation and stabilization of a dispersion of one substance in another — **dispersant** *adj*

disperse (dis-'pōr-sə) *vb* *dis-pers*; *dis-pers* [ME *dispersen*, fr. MF *dispersen*, fr. L. *dispersus*, pp. of *dispargere* to scatter, fr. *dis-* + *spargere* to scatter — more at **SPARK**] *vt* (14c) *1 a* : to cause to break up (the meeting was dispersed) *b* : to cause to become spread widely *c* : to cause to evaporate or vanish (sunlight dispersing the vapor) *2* : to spread or distribute from a fixed or constant source : *a* *archaic* : **DISSEMINATE** *b* : to subject (as light) to dispersion *c* : to distribute (as fine particles) more or less evenly throughout a medium ~ *vi* *1* : to break up in random fashion (the crowd dispersed at the police officer's request) *2 a* : to become dispersed *b* : **DISPATE** *VANISH* (the fog dispersed toward morning) *syn* see **SCATTER** — **dispersedly** \-'pōr-səd-'l-ē, -'pōr-sit-'l-ē *adv* — **disperser** *n* — **dispersible** \-'pōr-sə-'bl-*l* *adj*

disperse system *n* (ca. 1915) : **DISPERSION** 5b

dispersion (dis-'pōr-zhən, -'shan) (14c) *1 cap* : **DIASPORA** *la* *2* : the act or process of dispersing : the state of being dispersed *3* : the scattering of the values of a frequency distribution from an average *4* : the separation of light into colors by refraction or diffraction with formation of a spectrum; *also* : the separation of nonhomogeneous radiation into components in accordance with some characteristic (as energy) *5 a* : a dispersed substance *b* : a system consisting of a dispersed substance and the medium in which it is dispersed : **COLLOID** 7b

dispersive \-'pōr-siv-, -ziv-*l* *adj* (1627) *1* : of or relating to dispersion (a ~ medium) (the ~ power of a lens) *2* : tending to disperse — **dispersively** *adv* — **dispersiveness** *n*

disperseoid \-'pōr-soid-*n* (1911) : finely divided particles of one substance dispersed in another

dispirit (dis-'pir-it) *vt* [dis- + *spir*] (1647) : to deprive of morale or enthusiasm — **dispirit-ed** *adj* — **dispirit-edly** *adv* — **dispirit-ed-ness** *n*

dispiteous (dis-'pit-ē-sə) *adj* [alter. of *despiteous*] *archaic* (1803) : **CRUEL**

displace (dis-'plā-sə) *vt* [prob. fr. MF *displacer*, fr. *des-* + *place* place] (1553) *1 a* : to remove from the usual or proper place; *specif* : to expel or force to flee from home or homeland *b* : to remove from an office, status, or job *c obs* : to drive out : **BANISH** *2 a* : to remove physically out of position (water displaced by a floating object) *b* : to take the place of (as in a chemical reaction) : **SUPPLANT** *syn* see **REPLACE** — **displaceable** \-'plā-sə-'bl-*l* *adj*

displacement (dis-'plā-smənt) *n* (1611) *1* : the act or process of displacing : the state of being displaced *2 a* : the volume or weight of a fluid (as water) displaced by a floating body (as a ship) of equal weight *b* : the difference between the initial position of something (as a body or geometric figure) and any later position *c* : the volume displaced by a piston (as in a pump or an engine) in a single stroke; *also* : the total volume so displaced by all the pistons in an internal-combustion engine (as in an automobile) *3 a* : the redirection of an emotion or impulse from its original object (as an idea or person) to something that is more acceptable *b* : the substitution of another form of behavior for what is usual or expected *esp*. when the usual response is non-adaptive

displant (dis-'plānt) *vt* [MF *displanter*, fr. *des-* + *planter* to plant, fr. L. *plantare*] (15c) *1* : **DISPLACE** **REMOVE** *2* : **SUPPLANT**

display (dis-'plā) *vb* [ME *displayen*, fr. AF *despleier*, fr. L. *displicare* to scatter, fr. *dis-* + *placare* to fold — more at **PLY**] (14c) *1 a* : to put or spread before the view (~ the flag) *b* : to make evident (~ed great skill) *c* : to exhibit ostentatiously (liked to ~ his erudition) *2 obs* : **DENY** ~ *vi* *1 obs* : **SHOW OFF** *2* : to make a breeding display (peacocks ~ed and copulated) *syn* see **SHOW** — **displayable** \-'plā-'bəl-*l* *adj*

display *n*, often attrib (1665) *1 a* (1) : a setting or presentation of something in open view (a fireworks ~) (2) : a clear sign or evidence : **EXHIBITION** (a ~ of courage) *b* : ostentatious show *c* : type, com-

position, or printing designed to catch the eye. *d* : an eye-catching arrangement by which something is exhibited *e* : an electronic device (as a cathode-ray tube in a computer or in a radar receiver or a liquid crystal watch) that presents information in visual form; *also* : the visual information *2* : a pattern of behavior exhibited *esp*. by male birds in the breeding season

displease (dis-'plēz) *vb* [ME *displezen*, fr. MF *desplaisir*, fr. (assumed) VL *displacere*, fr. L. *dis-* + *placere* to please — more at **PLEASE**] *vt* (14c) *1* : to incur the disapproval or dislike of *esp*. by annoying (could fire any employee who had ever displeased him) *2* : to be offensive to (abstract art ~s him) ~ *vi* : to give displeasure (signs of inattention calculated to ~)

displeasure (dis-'plēzh-ər, -'plāzh-*n*) (15c) *1* : the feeling of one that is displeased : **DISFAVOR** *2* : **DISCOMFORT** **UNHAPPINESS** *3* *archaic* : **OFFENSE** **INJURY**

displode (dis-'plōd) *vb* *dis-plod*-ed; *dis-plod*-ing [L. *displodere*, fr. *dis-* + *plaudere* to clap, applaud] *archaic* (1667) : **EXPLODE** — **displodion** \-'plōz-*n* *n*

disport (dis-'pōt) *vt*, *dis-pōt* *vi* *archaic* (14c) : **SPORT** **PASTIME**

disport *vb* [ME *disporten*, fr. MF *desporter*, fr. *des-* + *porter* to carry, fr. L. *portare* — more at **FARE**] *vt* (14c) *1* : **DIVERT** **AMUSE** *2* : **DISPLAY** ~ *vi* : to amuse oneself in light or lively fashion : **FROLIC** — **disportment** \-'mānt-*n* *n*

disposable (dis-'pō-zə-'bal) *adj* (1643) *1* : subject to or available for disposal; *specif* : remaining to an individual after deduction of taxes (~ income) *2* : designed to be used once and then thrown away (~ towels) — **disposable-ly** \-'pō-zə-'bil-ē-*l* *adv*

disposable *n* (1963) : something (as a paper blanket) that is disposable

disposal (dis-'pō-zəl) *n* (1630) *1* : the power or authority to dispose of (the car was at my ~) *2* : the act or process of disposing : *a* : orderly placement or distribution *b* : **REGULATION** **ADMINISTRATION** *c* : the act or action of presenting or bestowing something (~ of favors) *d* : systematic destruction; *esp* : destruction or transformation of garbage *3* [garbage disposal unit] : a device used to reduce waste matter (as by grinding)

dispose (dis-'pōz) *vb* *dis-pose*; *dis-pose* [ME *disposen*, fr. MF *disposer*, fr. L. *disponere* to arrange (perf. indic. *disposui*), fr. *dis-* + *ponere* to put — more at **POSITION**] *vt* (14c) *1* : to give a tendency to : **INCLINE** (faulty diet ~s one to sickness) *2 a* : to put in place : set in readiness : **ARRANGE** (disposing troops for withdrawal) *b obs* : **REGULATE** *c* : **BESTOW** ~ *vi* *1* : to settle a matter finally *2 obs* : to come to terms *syn* see **INCLINE** — **disposer** *n* — **dispose of** *1* : to place, distribute, or arrange *esp*. in an orderly way *2 a* : to transfer to the control of another (disposing of personal property to a total stranger) *b* (1) : to get rid of (waste that is hard to dispose of) (2) : to deal with conclusively (disposed of the matter efficiently)

disposal *n* (1590) *1 obs* : **DISPOSAL** *2 obs* : **DISPOSITION** *b* : **DEMEANOR**

disposition (dis-'pō-zish-ən) *n* [ME, fr. MF, fr. L. *dispositio*, *dispositio*, pp. of *disponere*] (14c) *1* : the act or the power of disposing or the state of being disposed : *a* : **ADMINISTRATION** **CONTROL** *b* : final arrangement : **SETTLEMENT** (the ~ of the case) *c* (1) : transfer to the care or possession of another (2) : the power of such transfer *d* : orderly arrangement *2 a* : prevailing tendency, mood, or inclination *b* : temperamental makeup *c* : the tendency of something to act in a certain manner under given circumstances — **dispositionally** \-'zish-nəl-, -'zish-ən-'l-*l* *adv*

syn **DISPOSITION**, **TEMPERAMENT**, **TEMPER**, **CHARACTER**, **PERSONALITY** mean the dominant quality or qualities distinguishing a person or group. **DISPOSITION** implies customary moods and attitude toward the life around one; **TEMPERAMENT** implies a pattern of innate characteristics associated with one's specific physical and nervous organization; **TEMPER** implies the qualities acquired through experience that determine how a person or group meets difficulties or handles situations; **CHARACTER** applies to the aggregate of moral qualities by which a person is judged apart from his intelligence, competence, or special talents; **PERSONALITY** applies to an aggregate of qualities that distinguish one as a person.

dispositive (dis-'pōz-ət-iv) *adj* (1613) : directed toward or effecting disposition (as of a case) (~ evidence)

dispossession (dis-'pō-zes-*ə* also -'sesh-*n*) *vi* [MF *despossession*, fr. *des-* + *possess* to possess] (1555) : to put out of possession or occupancy (~ed the nobles of their wealth) — **dispossession** \-'zesh-ən-*n* also -'sesh-*n* *n* — **dispossessioner** \-'zesh-ər-*n* also -'sesh-*n* *n*

dispossessioned *adj* (15c) : deprived of homes, possessions, and security

dispossession (dis-'pō-zhən) *n*, *archaic* (1569) : **DISPOSAL** **DISPOSITION**

dispraise (dis-'prāz) *vi* [ME *dispraisen*, fr. MF *despreiser*, fr. OF, fr. *des-* + *preiser* to praise] (14c) : to comment on with disapproval or censure — **dispraiser** *n* — **dispraisingly** \-'prā-zh-ē-*l* *adv*

dispraise *n* (15c) : an expression of disapproval : **DISPARAGEMENT**

dispread (dis-'pred) *vi* (1590) : to spread abroad or out

disprize (dis-'priz) *vi* [MF *despriser*, fr. OF *despreiser*] *archaic* (15c) : **UNDERTAKE** **SCORE**

disproof (dis-'prūf) *n* (15c) *1* : the action of disproving *2* : evidence that disproves

disproportion (dis-'pōr-pōr-*shən*, -'pōr-*n*) (1555) : lack of proportion, symmetry, or proper relation : **DISPARITY**; *also* : an instance of such disparity — **disproportion-al** \-'shən-'l-*l* *adj*

disproportion *vi* (1593) : to make out of proportion : **MISMATCH**

disproportionate \-'sh(ə)-nət-*l* *adj* (1555) : being out of proportion (a ~ share) — **disproportionately** *adv*

disproportionation \-'pōr-shə-'nā-'shən, -'pōr-*n* (ca. 1929) : the transformation of a substance into two or more dissimilar substances usu. by simultaneous oxidation and reduction — **disproportion-ate** \-'pōr-shə-'nāt-, -'pōr-*n* *vi*

\ə\ about \k\ kitten. F table \æ\ further \æ\ ash \æ\ ace \æ\ cot. cart
 \a\ out \ch\ chin \et\ bet \e\ easy \g\ go \i\ bit \i\ ice \i\ job
 \ŋ\ sing \o\ go \o\ law \oi\ boy \ih\ thin \ih\ the \i\ foot \u\ foot
 \y\ yet \zh\ vision \ä\ k. " . æ. æ. u. ū. see Guide to Pronunciation



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